

Approved 3/1/10
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, February 1, 2010 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

James J. Giulietti, Chairman
Theresa Ranciato-Viele, Vice Chairman
Brian R. Cummings, Secretary
Douglas E. Roberts
Vern E. Carlson
Curtis Andrews, Sr., Alternate

MEMBERS ABSENT:

Edward M. Homa, Alternate
Richard E. Wilson, Alternate

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Giulietti, Chairman, opened the meeting at 7:13 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Mr. Giulietti then explained the procedure for the public hearing and asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that application #P09-37, 352 State Street is postponed to the March 1, 2010 meeting.

PUBLIC HEARINGS:

The Commission elected to hear application #P10-02S and #P10-02 together.

1. #P10-02S Special Permit Application (as authorized by Section 4.4.1.38) of ARC of Greater New Haven, Inc., c/o Timothy Lee, Applicant, Domenic Liuzzi, Owner, relative to 528 Washington Avenue, (Map 95, Lot 4). Plan Entitled: Site Plan, 528 Washington Avenue, North Haven, CT. Prepared by John Paul Garcia & Assoc., P.C., Dated March 20, 2000. Scale 1" = 30'. CB-40 Zoning District.

3. #P10-02 Site Plan Application of ARC of Greater New Haven, Inc., c/o Timothy Lee, Applicant, Domenic Liuzzi, Owner, relative to 528 Washington Avenue, (Map 95, Lot 4). Plan Entitled: Site Plan, 528 Washington Avenue, North Haven, CT. Prepared by John Paul Garcia & Assoc., P.C., Dated March 2, 2000. Scale 1" = 30'. CB-40 Zoning District.

Attorney Timothy Lee representing ARC of Greater New Haven presented the application to permit the change of use of 5,000 square feet of the rear building from office to an Adult Rehabilitative Center. The center will consist of 35 participants with 12-14 staff members. The hours of operation are from 8:00 a.m. to 4:00 p.m. for staff members and 9:00 a.m. to 3:00 p.m. for participants. Living accommodations and food preparation are not being proposed. Vans will be parked on the site during the day, not at night. Attorney Tim Lee reviewed the town comments with the Commission. The Commission suggested to improve the turning radius, and to eliminate the island from the site plan. The Commission would also like the sidewalks installed within one year.

Mr. Giulietti asked for public comment.

Public comment:

1. Debra Daddio, 520 Washington Avenue, is requesting a 6' privacy fence, before the center is in operation, for safety concerns due to a 4' drop in elevation near her property line. The fence would also provide a buffer from traffic entering the site.
2. Henry Rudzinski, 65 Kimberly Circle, is requesting a fence due to safety concerns.

Mr. Henry Konopacke, 392 Quinnipiac Avenue, questioned the public hearing publication date for this meeting. He believes this legal notice was published nine days instead of the required ten days before the meeting. Mr. Giulietti asked for confirmation from the town attorney stating that we are publishing public hearing notices in a timely manner. Mr. Fredricksen told Mr. Konopacke that he would look into this issue.

There being no further public comment, the Public Hearing was closed.

SITE PLANS:

2. #P09-37 Site Plan Application of L&M Realty, LLC, Owner and Applicant, relative to 352 State Street (Map 34, Lot 103). Plan Entitled: As Built Gal-Mar Academy, 352 State Street, North Haven, Connecticut, Prepared by Winterbourne Land Services. Dated December 7, 1994, rev. 8/11/09. Scale 1" = 30'. CB-40/R-20 Zoning Districts.

This application has been postponed to the March 1, 2010 meeting, at the request of the applicant.

4. #P10-03 Site Plan Application of Charlie Flanagan, Applicant, John C. Flanagan, Owner, relative to 12 Peck Street, (Map 67, Lot 18). Plan Entitled: Site Layout Plan, Land of John C. Flanagan, 12 Peck Street, North Haven, Connecticut, Dated 01/04/10. Scale 1" = 20'. CA-20 Zoning District.

Mr. Robert Baltramaitis, engineer, presented the application to permit the change of use of this existing single family residence to an insurance office. This will bring the use into conformance with the CA-20 Zoning District. The applicant is proposing 12 parking spaces in the rear, installation of sidewalks in the front and irrigation. Building mounted lighting is also being proposed. Hours of operation are from 6:00 am to 6:00 pm. The Commission asked a few more questions and Mr. Baltramaitis responded.

BREAK: 8:47 PM – 9:00 PM

DELIBERATION SESSION:

Mr. Carlson moved to go into deliberations; Mr. Roberts seconded the motion. All were in favor.

PUBLIC HEARINGS:

1. #P10-02S Special Permit Application (as authorized by Section 4.4.1.38) of ARC of Greater New Haven, Inc., c/o Timothy Lee, Applicant, Domenic Liuzzi, Owner, relative to 528 Washington.

Mr. Carlson moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

The motion was approved with sidewalk installation required within one year of this approval and the required installation of a 6' high privacy fence across the rear of the property and from the southeast corner of the property 250' westerly along the side property line. This fencing must be installed prior to the issuance of a C.of O.

SITE PLANS:

3. #P10-02 Site Plan Application of ARC of Greater New Haven, Inc., c/o Timothy Lee, Applicant, Domenic Liuzzi, Owner, relative to 528 Washington.

Mr. Carlson moved to approve the application; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

The application was approved with appropriate conditions, including the requirement to remove the dumpsters, trailer and storage container adjacent to the front building within 60 days.

4. #P10-03 Site Plan Application of Charlie Flanagan, Applicant, John C. Flanagan, Owner, relative to 12 Peck Street.

Mr. Cummings moved to approve the application; Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

OTHER:

190 Montowese Avenue, Pond View Estates, waiver of the sidewalk width.

Attorney Tim Lee, representing Pondview Estates, presented the sidewalk width modification request from 5' to 4'. Also being proposed is the modification to the sidewalks on the south entrance on Middletown Avenue from 5' to 3'. This modification is being requested due to wetlands and environmental concerns. The trees also provide a buffer from Middletown and Montowese Avenues.

Public Comment:

1. Tony Rossley, 15 Pondview Circle, is asking to delay the cutting of trees for installation of sidewalks. He is concerned with the impact this will pose on wetlands and the pond.
2. Pat Ferraro, 1 Pondview Circle, is also asking to delay cutting of the trees, to install sidewalks, because he is concerned with the impact on the wetlands and losing the buffer from traffic on Middletown and Montowese Avenues. He is also concerned with the pond being contaminated if the tree buffer is removed and suggested a pathway through the woods instead of sidewalks.
3. Rich Corcoran, 14 Pondview Circle, feels that sidewalks don't make sense in this area. He stated that if sidewalks are installed trees will be cut down and they will lose their buffer from the traffic on Middletown and Montowese Avenues. He also feels that installing sidewalks will cause environmental damage.
4. John O'Reilly, 12 Pondview Circle, is requesting to delay the cutting of trees for sidewalks.
5. Richard Ziemba, 8 Pondview Circle, asked why there is a need for sidewalks in this area.
6. Dave Candido, 15 Pondview Circle, feels sidewalks are not beneficial on Middletown and Montowese Avenues.

Mr. Carlson moved to approve the modification of the sidewalk width from 5 feet to 4 feet; and 3 feet in width along Middletown Avenue from the main entrance south to the southernmost property line; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

Mr. Carlson moved to amend the motion to include delaying the cutting of trees for 30 days before installing sidewalks; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

INFORMAL PRESENTATION: None

EXTENSIONS:

#P09-08, 88 Quinnipiac Avenue

Mr. Cummings moved to approved one (1) six month extension for application #P09- 08, 88 Quinnipiac Avenue; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson – aye

BOND RELEASES & REDUCTIONS: None

CHANGE OF USE: None

CORRESPONDENCE:

LULA Training Program

Mr. Fredricksen gave an update regarding the outdoor wood burning furnace issue. The Town attorney is now reviewing this issue.

MINUTES:

January 4, 2010

Mr. Carlson moved to approve the minutes of the January 4, 2010 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele - aye Cummings – aye Roberts – aye Carlson –aye

ADJOURN:

There being no further business, Mr. Cummings moved to adjourn; Mr. Roberts seconded the motion. The meeting was adjourned at 9:35 PM.